

Superseded 5/13/2014

4-2-8.7 Invasive Species Mitigation Account created.

- (1) As used in this section, "project" means an undertaking that:
 - (a) rehabilitates an area that:
 - (i) is infested with an invasive species; or
 - (ii) has a fuel load that may contribute to a catastrophic wildland fire; or
 - (b) prevents catastrophic wildland fire through land restoration in a watershed that:
 - (i) is impacted by an invasive species; or
 - (ii) has a fuel load that may contribute to a catastrophic wildland fire.
- (2)
 - (a) There is created a restricted account within the General Fund known as the "Invasive Species Mitigation Account."
 - (b) The restricted account shall consist of:
 - (i) money appropriated by the Legislature;
 - (ii) grants from the federal government; and
 - (iii) grants or donations from a person.
- (3)
 - (a) After consulting with the Department of Natural Resources and the Conservation Commission, the department may expend money in the restricted account:
 - (i) on a project implemented by:
 - (A) the department; or
 - (B) the Conservation Commission; or
 - (ii) by giving a grant for a project to:
 - (A) a state agency;
 - (B) a federal agency;
 - (C) a federal, state, tribal, or private landowner; or
 - (D) a political subdivision.
 - (b) The department may use up to 10% of restricted account funds expended under Subsection (3)(a)(i) on:
 - (i) department administration; or
 - (ii) project planning, monitoring, and implementation expenses.
 - (c) A federal landowner that receives restricted account funds for a project shall match the funds received from the restricted account with an amount that is equal to or greater than the amount received from the restricted account.
- (4) In giving a grant, the department shall consider the effectiveness of a project in preventing at least one of the following:
 - (a) encroachment of an invasive species;
 - (b) soil erosion;
 - (c) flooding;
 - (d) the risk of catastrophic wildfire; or
 - (e) damage to habitat for wildlife or livestock.